

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 24-11852

Non-Argument Calendar

RICHARD HARRIS,

Plaintiff-Appellant,

versus

ROSADO,

Correctional Officer,

MOORE,

Correctional Officer, Captain,

MANNING,

Correctional Officer, Sargent,

ALSTON,

Correctional Officer, Sargent,

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Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 3:23-cv-00895-WWB-PDB

Before WILSON, NEWSOM, and LUCK, Circuit Judges.

PER CURIAM:

This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. Richard Harris appeals from the district court’s order dismissing his Eighth Amendment claims against the defendants. However, the order is not final because Harris’s First Amendment claim remains pending before the district court. *See* 28 U.S.C. § 1291; *CSX Transp., Inc. v. City of Garden City*, 235 F.3d 1325, 1327 (11th Cir. 2000) (providing that we generally only have jurisdiction to review district court orders or judgments that constitute “final decisions”); *Supreme Fuels Trading FZE v. Sargeant*, 689 F.3d 1244, 1245-46 (11th Cir. 2012) (providing that an order that disposes of fewer than all claims against all parties is not a final decision).

Further, the order is not immediately appealable under the collateral order doctrine because it is not effectively unreviewable on appeal from a final judgment. *See Plaintiff A v. Schair*, 744 F.3d 1247, 1252-53 (11th Cir. 2014). Harris may challenge the dismissal

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of his Eighth Amendment claims after his First Amendment claim has been fully resolved.

No petition for rehearing may be filed unless it complies with the timing and other requirements of 11th Cir. R. 40-3 and all other applicable rules.